UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,308	06/27/2003	David T. Campbell	MS1-1562US	8029

22801 7590 06/19/2007

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER	
FIGUEROA, MARISOL	

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
06/19/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary	Application No.	Applicant(s)	
	10/609,308	CAMPBELL, DAVID T.	
	Examiner	Art Unit	
	Marisol Figueroa	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18-24 and 26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-24 and 26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 June 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 5/21/2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

2. Applicant's arguments filed on 4/16/2007, with respect to claims 18-24, and 26 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, this action is made FINAL.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claim 26** is rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. (US 6,167,268) in views of Akhteruzzaman et al. (US 6,584,316 B1), and Gupta (US 2003/0022701 A1).

Regarding claim 26, Souissi discloses a wireless communication device comprising:

a processor (Fig. 2; col.3, lines 56-60; processor 43);

an antenna module configured to receive multiple radio frequency (RF) signals (col.3, lines 36-41; the subscriber unit intercepts messages, i.e. RF signals, via antenna 204 and satellite signals are intercepted by GPS receiver 242);

an analog to digital converter executable on the processor and configured to convert the RF signals to digital signal information used by the processor (it is noted that this is inherent because the mobile station's processor operates on digital data and the antenna receives analog signals and therefore it is necessary an A/D converter to convert the RF signals to digital signal information);

instructions stored in a memory (col.3, lines 56-60) executable on the processor to store location communications network available to a user and determine from the digital signal information available wireless communication networks to the user (col.4, lines 9-21, 28-32; p.0023, lines 8-23; p.0024, lines 1-4; col.4, lines 64-col.5, lines 1-35; the subscriber unit comprises a memory with a system location database 226 including system identifiers and location coordinates of wireless systems of interest to the subscriber unit, the subscriber unit can determine its location through signals received from GPS satellites and then select a system from the database according to the current location of the subscriber unit); and

a GPS module configured to receive RF signals from GPS satellites through the antenna module and analog to digital converter indicating location of the wireless communication device (col.3, lines 53-55; col.4, lines 66-col.5, lines 1-2; col.5, lines 17-21; the subscriber unit equipped with a GPS receiver determine its position from the reception of signals from GPS satellites).

But, Souissi does not expressly disclose wherein the wireless communication device stores the location of wired communication networks and determines from the digital signal information available wired communication networks to the user.

However, Akhteruzzaman teaches a subscriber's wireless terminal that stores directory numbers of wireline terminals (i.e., wired communication networks) and the closest location (determined by a satellite-based global positioning system GPS) to the wireline terminal to which a future wireless call is to be transferred. Then, when the subscriber desires to transfer a wireless call to the wireless network, the subscriber selects a handoff key in the mobile terminal, and the mobile terminal determines its present coordinates and determines the closest wireline terminal to its present coordinates and transfers the call to that wireline terminal (abstract; col.2, lines 5-32).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to modify Souissi to include the features of storing the location of wired communication networks and determining from the digital signal information available wired communication networks to the user, as suggested by Akhteruzzaman, for temporarily direct wireless inbound calls to a wireline terminal when an available wireline terminal is in the vicinity to avoid wireless airtime charges and/or obtain a better quality of communication;

Hence, the combination of Souissi and Akhteruzzaman teaches wherein the communication networks are associated with other communication devices since it is well known in the art that wireless networks and wired networks are associated with a plurality of subscribers, and therefore, associated with other communication devices belonging to the same user or other subscribers.

But, the combination of Souissi and Akhteruzzaman does not expressly disclose including instructions comprised of a map that indicates to a user relative location of the wireless communication device.

However, Gupta teaches a mobile communication device that using a built-in GPS receiver has the ability to display local maps and the present position of the communications device to the user in a map (p.0050).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to modify the combination to include instructions comprised of a map that indicate to a user a relative location of the wireless communication device, as suggested by Gupta, since such a modification would provide the user with a visual image of its current location that will help to orient the user on traveling to different locations.

6. **Claims 18 and 19** are rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. in views of Akhteruzzaman et al. and Gupta, and further in view of Holloway et al. (US 2003/0092451 A1).

Regarding claim 18, the combination of Souissi, Akhteruzzaman, and Gupta disclose the wireless communication device of claim 26, but does not expressly disclose wherein the instructions are further comprised to send call forwarding instructions to service providers based on conditions set by the user.

However, Holloway teaches a method for triggering the automatic forwarding of calls for the mobile phone to the preferred telephone number when in proximity of the preferred phone (abstract, lines 1-4). The user who carries the mobile phone prefers to receive calls on the preferred phone such as the user's home phone (wireline network) whenever possible, the preferred phone is equipped with a low-power transmitter to notify the handheld mobile phone that it is in proximity of the preferred phone and when the mobile phone recognizes the signal from the preferred phone, the mobile phone sends a message to the cellular network requesting forwarding of calls to the preferred phone number (p.0006; p.0014; 0016).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to modify the combination to further include instructions comprised of sending call

forwarding instructions to service providers based on conditions set by the user, as suggested by Holloway, in order for the user to receive calls in a preferred network.

Regarding claim 19, the combination of Souissi, Akhteruzzaman, Gupta, and Holloway disclose the wireless communication device of claim 18, in addition Holloway discloses wherein the call forwarding instructions are to forward calls to a particular carrier (p.0006, lines 1-8; p.0014; lines 5-7; the calls are forwarded to the user's home phone which is the preferred phone for the user that is connected to a wireline network). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to modify the combination to include instructions to forward calls to a particular carrier, as suggested by Holloway, because a particular carrier may be the preferred carrier network for a user to receive communication.

7. **Claims 20 and 21** are rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. in views of Akhteruzzaman et al., Gupta, and Holloway et al., and further in view of Benjamin et al. (US 2004/0028057 A1).

Regarding claim 20, the combination of Souissi, Akhteruzzaman, Gupta, and Holloway disclose the wireless communication device of claim 18, but Holloway does not expressly disclose wherein the conditions are based on lowest cost to operate. However, Benjamin teaches wireline telephone have the advantage of having a better quality than mobile cell phones (p.0004, lines 18-22). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to modify Holloway to include the features of forwarding calls based on lowest cost to operate, as suggested by Benjamin, in order for the user to lower expenses on using communication services.

Regarding claim 21, the combination of Souissi, Akhteruzzaman, Gupta, and Holloway disclose the wireless communication of claim 18, but Holloway does not expressly disclose wherein

the forwarding conditions are based on quality of service for a particular carrier (i.e. wireline network). However, Benjamin teaches that wireline telephone have the advantage of having a better quality than mobile cell phones (p.0004, lines 18-22). Therefore, it would have been obvious to one having ordinary skill in the art, to modify Holloway to include the features of forwarding calls to a particular carrier (i.e. wireline network) based on a quality of service, as suggested by Benjamin, because forwarding calls to a network with a higher quality ensures that the user will get the best available service for the calls.

8. **Claims 22-23** are rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. in views of Akhteruzzaman et al. and Gupta, and further in view of Sundar et al. (US 2003/0134650 A1).

Regarding claim 22, the combination of Souissi, Akhteruzzaman, and Gupta disclose the wireless communication device of claim 26, but does not expressly disclose wherein the instructions comprise service set identifier numbers of wireless area networks accessible by the user.

However, Sundar teaches a mobile station that is provisioned with SSID of wireless networks to allow the mobile station to detect wireless networks and access valid networks, which are the networks, which SSID are listed in memory of the mobile station (p.0055-0059). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to modify the combination to include instructions comprises of service set identifiers numbers of wireless area networks accessible by the user, as suggested by Sundar, in order minimize the unnecessary scanning for wireless area networks by a mobile station.

Regarding claim 23, the combination of Souissi, Akhteruzzaman, and Gupta disclose the wireless communication device of claim 26, but does not expressly disclose wherein the instructions are further comprised to store service set identifier numbers of wireless area networks accessible by

the wireless communication device. However, Sundar teaches a mobile station that is provisioned with SSID of wireless networks to allow the mobile station to detect wireless networks and access valid networks, which SSID is stored in memory (p.0055-0059). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to modify the combination of include the feature of storing service set identifier numbers of wireless area networks accessible by the wireless communication device, as suggested by Sundar, because it will allow the wireless communication device to access wireless networks whose service set identifiers numbers are listed in the memory.

9. **Claim 24** is rejected under 35 U.S.C. 103(a) as being obvious over Souissi et al. in views of Gupta and Akhteruzzaman et al., and further in view of Bridges et al. (US 6,546,246 B1).

Regarding claim 24, the combination of Souissi, Akhteruzzaman, and Gupta disclose the wireless communication device of 26, but does not expressly disclose wherein the instructions are further comprised to store system identification number (SID) and access information of cellular networks accessible by the wireless communication device. However, Bridges teaches a mobile station with a memory that stores a list of preferred wireless carrier identities for use by the mobile station when roaming (abstract, lines 2-4). The list of preferred wireless carrier identities comprises a plurality of entries indicating a system identification number (SID) and a corresponding frequency band (col.6, lines 7-11) and permits a mobile station to immediately obtain service on a preferred cellular network when the mobile station is roaming (col.8, lines 51-54; col.8, lines 61 – col.9, lines 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to modify the combination to include the features of storing system identification number (SID) and access information of cellular networks accessible by the wireless communication device,

as suggested by Bridges, in order for the mobile station to immediately obtain service from a preferred cellular network when the mobile station is roaming.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marisol Figueroa
Art Unit 2617

LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER